

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

BOOMJ.COM, et al.,

Plaintiffs,

v.

GEORGE PURSGLOVE,

Defendant.

2:08-cv-00496-KJD-LRL

**O R D E R**

Before the court is defendant's Affidavit of Fees and Costs (#120), filed pursuant to the court's Order (#119) granting in part defendant's Motion to Compel Deposition of Robert McNulty and for Sanctions (#105). The court required plaintiff to pay the reasonable costs associated with McNulty's cancelled February 25, 2011 deposition, including the court reporter's fee, any cancellation fee, and the reasonable attorney's fees associated with preparation for the deposition.

Two attorneys performed billable work on this matter: Jessica K. Peterson spent 8.6 hours preparing for the deposition at a rate of \$250/hour and Gus W. Flangas billed 2.6 hours assisting Peterson at a rate of \$375/hour. Peterson Aff. at ¶4-6. After reducing Peterson's hours by half, defendant requests \$2,157.50 as the reasonable attorney's fees associated with preparing for the deposition. Defendant was charged a cancellation fee for the deposition in the amount of \$150 and a court reporter fee in the amount of \$317.80, for a total of \$467.80 in costs associated with the cancelled deposition. The court finds these fees and costs to be reasonable.

Accordingly,

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1 IT IS ORDERED that defendant's Motion to Compel Deposition of Robert McNulty and for  
2 Sanctions (#105) is granted to the extent that plaintiff shall, not later than June 30, 2011, pay to  
3 defendant the sum of \$2,157.50 as the reasonable attorneys' fees and costs incurred by defendant in  
4 connection with the cancelled February 25, 2011 deposition of Robert McNulty.

5 DATED this 29th day of April, 2011.

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**LAWRENCE R. LEAVITT**  
9 **UNITED STATES MAGISTRATE JUDGE**  
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